

Message

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 5/4/2018 11:56:31 PM
To: Benevento, Douglas [benevento.douglas@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov]; Schefski, Kenneth [Schefski.Kenneth@epa.gov]; Varilek, Kimberly [Varilek.Kimberly@epa.gov]
Subject: Crow and Northern Cheyenne Object to EPA NPDES Inspections
Attachments: Crow_Executive_Letter_EPA_050318.docx; ATT00001.htm; RE: Notice of NPDES Inspection on the Crow Reservation; ATT00002.htm; Re: SSO Inspection and Meeting on 5/7; ATT00003.htm

Doug, Deb, Kim, and KC-

The Crow and Northern Cheyenne tribes have notified me by letter that EPA is not authorized to conduct wastewater inspections on their reservations next week. **Attorney Client / Ex. 5**

The Crow letter is attached. **Attorney Client / Ex. 5**

Attorney Client / Ex. 5

I'll schedule a meeting on Monday with Kim, ORC and ECEJ management to discuss a proposed path forward which we'll present for RA, DRA approval.

Suzanne

Sent from my iPhone

Begin forwarded message:

From: "Johnson, Akash" <johnson.akash@epa.gov>
To: "Bohan, Suzanne" <bohan.suzanne@epa.gov>, "DeJong, Stephanie" <DeJong.Stephanie@epa.gov>, "Palomares, Art" <Palomares.Art@epa.gov>, "Thompson, Christopher" <Thompson.Christopher@epa.gov>
Cc: "Swanson, Amy" <Swanson.Amy@epa.gov>, "Gwisdalla, David" <Gwisdalla.David@epa.gov>
Subject: FW: Chairman's Letter in Response to EPA Inspection Notice

FYI – we just received the attached letter to Suzanne from the Crow Tribal Chairman. Originally, CTWRD told us our visit was welcome, and I spoke with Cedric earlier this week to address some concerns he had regarding the inspections – emails attached.

My office phone will be forwarded to my cell once I leave today – feel free to call.

Akash Johnson
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From: Cedric Black Eagle [<mailto:Cedric.BlackEagle@crow-nsn.gov>]
Sent: Friday, May 4, 2018 3:53 PM
To: Swanson, Amy <Swanson.Amy@epa.gov>

Cc: Johnson, Akash <johnson.akash@epa.gov>; Dion Killsback <dkillsback77@gmail.com>; Dennis Bear Dont Walk <Dennis.BearDontWalk@crow-nsn.gov>; Tom Hall <Tom.Hall@crow-nsn.gov>; connie.howe@crow-nsn.gov

Subject: Chairman's Letter in Response to EPA Inspection Notice

Ms. Amy Swanson,

Attached is a letter from Chairman Not Afraid, Crow Tribe of Indians in response to the EPA letter dated April 30, 2018. Re: Notice of NPDES Inspections on the Crow Reservation. The following are remarks that we want to point to in the EPA letter from Ms. Suzanne J. Bohan, Assistant Regional Administrator Office of Enforcement, Compliance and Environmental Justice.

- 1) letter from the EPA regarding the inspections is disrespectful of the government -to-government relationship, tribal self-governance and consultation;
- 2) the Crow Tribe, through its Environmental Protection Department is working to respond to the reporting and compliance issues;
- 3) due to internal issues regarding funding and personnel staffing, the Crow tribe has been unable to respond timely to the EPA notices;
- 4) the Crow Tribe is seeking to reschedule the inspections at a time when the Crow Tribe, its departments and other stake holders can be present and responsive.

Should you have any questions please contact me at (406) 638-1017.

Cedric Black Eagle, CTWRD Cabinet Head